

REMARKS

Reconsideration and entry of this Amendment are respectfully requested. Claims 1, 22, 19 and 25 have been amended. Claim 22 has been canceled. Claims 1-4, 7, 12-21, 23 and 28-31 remain pending.

It is noted that the Examiner did not list claims 21 and 30-31 as pending in the Office Action Summary. Claims 21 and 30-31 remain pending.

Claims 1-4, 12-20, 22-23 and 28-29 stand rejected under 35 U.S.C 102(e) as being anticipated by Hopkins et al. This rejection is respectfully traversed.

Claim 1 has been amended to recite a data storage device operatively associated with the processor; and a handheld device including a display, the handheld device being operatively associated with the processor, and that each device is constructed and arranged to provide inputs to the processor. This amendment was made to define the components more clearly and not to distinguish from the prior art of record.

Claim 1 requires a handheld device including a display with the handheld device being operatively associated with the processor. Thus, it is the handheld device that includes the display. In response to Applicants' previous argument, the Examiner stated that Hopkins discloses "a processor (CIMCIS terminal 36) including ... a handheld scanner 42... and a processor including a display..." Applicants submit that the Examiner is misinterpreting Hopkins as teaching that the CIMCIS terminal 36 has a display and includes the handheld scanner 42 with the Examiner incorrectly concluding that the handheld scanner 42 includes a display.

Upon careful reading of Hopkins at column 4, lines 59-67 while noting the placement of the commas for punctuation, Hopkins clearly indicates that the CIMCIS terminal does not include the handheld scanner 42. Hopkins discloses that associated with each processing machine 16, 20 and 24 is a data tap, 30, a main patch 34 linked to the CIMCIS terminal 36 (which includes a dogtag reader 37 and a dogtag 39), a docking station 40 for docking a handheld scanner 42, an alarm 38, and a fixed barcode scanner 44. Thus, the handheld scanner 42 is merely one of the devices associated with each

machine 16, 20 and 24 and it is clear that the CIMCIS terminal does not include the handheld scanner 42, as further evidence in FIG. 1 of Hopkins where the handheld scanner 42 not even coupled with CIMCIS terminal 36. In Hopkins, it is the CIMCIS terminal 36 that includes a display, not the handheld scanner 42 (see column 7, lines 6-7 of Hopkins). Thus, since the handheld scanner 42 of Hopkins has no display, the rejection is improper.

In addition, Hopkins fails to disclose a screen printer monitoring device, a component placement machine monitoring device, or an oven monitoring device as claimed. The Examiner merely stated that Hopkins discloses host computers 18, 22 and 26 and "It is inherent that the host computer used for monitoring purpose too."

As specified in MPEP §2131: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference' *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). ... 'The identical invention must be shown in as complete detail as is contained in the ... claim.'" *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)." MPEP 2131 (Rev. 2, May 2004, at p. 2100-73).

When the Examiner alleges that a certain result is inherent in the operation of a reference, it must appear that this is necessarily so without any doubt. Ex parte Ruskin, 95USPQ 96 (Pat. Ofc. Bd. App. 1951). See MPEP 2112 ("The fact that a certain result or characteristic may occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic. In re Rijckaert, 9 F.3d 1531, 1534, 28 USPQ2d 1955, 1957 (Fed. Cir. 1993)(reversed rejection because inherency was based on what would result due to optimization of conditions, not what was necessarily present in the prior art); ... 'The mere fact that a certain thing may result from a given set of circumstances is not sufficient.'" (quoting In re Robertson, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950-51 (Fed. Cir. 1999))).

Thus, since Hopkins fails to disclose a handheld device having a display, a screen printer monitoring device, a component placement machine monitoring device, or an oven monitoring device the rejection of claim 1, and the claims that depend therefrom is improper and should be withdrawn.

With regard to claim 12, the claim has been amended to recite a screen printer having a screen printer monitoring device for sensing an amount of solder present at the screen printer for applying to circuit boards. As described in the specification at page 4, line 27 to page 5, line 2, the monitoring device monitors the amount of solder at the screen printer so operator can be notified when refilling the machine is required. Hopkins merely monitors the amount of solder placed on the PCB, not the amount of solder remaining at the screen printer for applying to the PCBs.

Claim 12 also requires at least one component placement machine having a feed tape and a placement monitor for monitoring at least one of the existence of a feed tape splice and the number of components on the feed tape. Hopkins does not disclose that computer 22 monitors the existence of a feed tape splice or the number of components on the feed tape, but merely states that the CIMCIS terminal process data signals and makes determinations of machine performance.

Hence, the rejection of claim 12, and the claims that depend therefrom, should be withdrawn because it fails to demonstrate that Hopkins discloses each and every element of the claim. See MPEP 2131. "The identical invention must be shown in as complete detail as is contained in the ... claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). "Anticipation cannot be predicated on teachings in the reference which are vague or based on conjecture." Studiengesellschaft Kohle mbH v. Dart Industries, Inc., 549 F. Supp. 716, 216 USPQ 381 (D. Del. 1982), aff'd, 726 F.2d 724, 220 USPQ 841 (Fed. Cir. 1984).

With regard to claim 19, the claim has been amended to recite that the displaying step includes displaying the task data to the operator on a handheld device. As noted above Hopkins does not disclose a handheld device having a display. Therefore, the rejection of claim 19 and the claims that depend therefrom is improper and should be withdrawn.

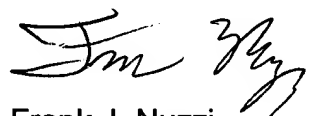
With regard to claim 28, the claim recites a handheld device comprising a processor and display. Neither the processors 36, 290 nor the display 296 of Hopkins is disclosed as being part of a handheld device. Therefore, the rejection of claim 28 and the claims that depend therefrom is improper and should be withdrawn.

Claims 21, 25-27 and 30-31 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hopkins et al. Claim 21 depends from claim 19 and is considered to be allowable for the reasons advanced above with regard to claim 19.

Claim 25 has been amended to recite that the list of tasks is displayed on a handheld device. In addition, claims 30 and 31 have been amended to recite displaying both the first task time and the second task time on a handheld device. As noted above, Hopkins does not disclose a handheld device having a display. Therefore, the rejections should be withdrawn.

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Frank J. Nuzzi', with a stylized flourish at the end.

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